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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 18 May 2016 from the Permanent Mission of Turkey to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Turkey to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and, with reference to Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016), has the honour to inform the Committee of the measures taken by the relevant Turkish authorities to effectively implement resolution 2270 (2016), in accordance with paragraph 40 of that resolution.

In addition to the Prime Ministry's circular directives Nos. 2006/36 and 2009/17 pertaining to the implementation of Security Council resolutions 1718 (2006) and 1874 (2009), by which the Council imposed sanctions on the DPRK, circular directive No. 2016/11, which was circulated to all relevant Turkish institutions and organizations, informing them of the adoption of Council resolution 2270 (2016) and ordering strict compliance with its provisions, was signed by the Prime Minister of Turkey, Ahmet Davutoğlu, and was promulgated in the Turkish Official Gazette on 6 May 2016. Circular directive No. 2016/11, which has thus become a part of the Turkish national legislation, is attached hereto (see annex).

Information on Turkey's national implementation with regard to arms control, disarmament and non-proliferation is available in the national reports of Turkey contained in documents S/AC.44/2004/(02)/63 and S/AC.44/2004/(02)/63/Add.1), which were submitted to the Security Council in accordance with resolution 1540 (2004). Updated information on Turkey's national implementation is also available from the website of the Security Council Committee established pursuant to resolution 1540 (2004).

Annex to the note verbale of 18 May 2016 from the Permanent Mission of Turkey to the United Nations addressed to the Chair of the Committee

Prime Ministry's circular directive 2016/11 on the Democratic People's Republic of Korea

The Security Council, with its resolution 2270 (2016) adopted on 2 March 2016, decided that additional and comprehensive sanctions should be imposed by all Member States on the Democratic People's Republic of Korea (DPRK), which conducted nuclear tests on 6 January 2016 in violation of the relevant Council resolutions and its other international obligations.

Security Council resolution 2270 (2016), which Turkey co-sponsored, has a binding nature on our country and therefore has to be implemented by all relevant institutions and organizations, and the Ministry of Foreign Affairs has to be informed within 60 days about the actions taken.

Within this context, in addition to the provisions of circular directives 2006/36 and 2009/17, which were issued after the adoption of Security Council resolutions 1718 (2006) and 1874 (2009) and which impose sanctions on the DPRK and, until further notice:

1. The transfer of all kinds of aircraft and missile fuel, which can be used for ballistic missile technology, coal, iron, iron ore, gold, titanium ore, vanadium ore and rare earth minerals, as well as all kinds of financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance and use of such materials, are added to the list of goods and services prohibited from being exported to and supplied by the DPRK, as contained in article 1 of circular directive 2006/36.

2. For the purpose of preventing the transfer of any item in violation of Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016), all relevant institutions and organizations shall inspect the cargo within or transiting through our country, including our airports, seaports and free trade zones, that has originated in the DPRK or that is destined for the DPRK or has been facilitated by the DPRK or its nationals or by individuals or entities acting on behalf of the DPRK or that is transported on DPRK-flagged aircraft or maritime vessels.

3. Within the framework of Security Council resolution 2270 (2016), all relevant institutions shall prevent the leasing of vessels or aircraft and the providing of crew services to the DPRK; this prohibition shall also apply with respect to any individuals or entities that violate or do not conform with the resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016).

4. Apart from the exceptional cases determined by the Committee on a case-by-case basis, our relevant institutions and organizations shall ensure that the ban, under Council resolution 2270 (2016), on the registration of vessels in the DPRK and on the leasing, operating, classification and insuring of any DPRK-flagged vessel is implemented.

5. The permission to take off, land or overfly shall be denied to any aircraft except for the purpose of inspection and in the event of emergencies, if there is reasonable doubt that it is transporting items the supply, sale, transfer or export of which is prohibited under resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016).

6. The entry into Turkish ports of any vessel shall be prevented by our relevant institutions and organizations if there is reasonable doubt that the vessel is owned or controlled, directly or indirectly, by an individual or entity tasked by the DPRK, or if it contains cargo the supply, sale, transfer or export of which is prohibited under resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016), unless entry is required in the event of emergency or in the event of return to its port of origination, or for inspection, or unless the Committee determines in advance that such entry is required for humanitarian purposes.

7. If it is determined that a DPRK diplomat, a government representative or a third country national is providing assistance in the evasion of sanctions or in violating the provisions of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016), these individuals shall be expelled from our territory for the purpose of repatriation to the DPRK or their country of citizenship, consistent with national law, provided that nothing in this paragraph shall impede the transit of representatives of the Government of the DPRK to United Nations Headquarters or other United Nations facilities to conduct United Nations business; the provisions of this paragraph shall not apply with respect to particular individuals if:

- The presence of the individual is required for fulfilment of a judicial process
- The presence of the individual is required exclusively for medical, safety or other humanitarian purposes, or
- The Committee has determined on a case-by-case basis that the expulsion of the individual would be contrary to the objectives of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016)

8. To be able to make the necessary assessment and to ensure the advance notification of relevant international committees, the Ministry of Foreign Affairs will be informed by our institutions and organizations about the humanitarian aid activities provided to the civilian population of the DPRK, which will not be used by individuals or entities of the DPRK to generate revenue.